

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

LUIS ALBERTO AVILA-TORRES,

Civil No. 06-3296 DSD/AJB

Petitioner,

v.

O R D E R

UNITED STATES OF AMERICA,

Respondent.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Arthur J. Boylan dated August 22, 2006, all the files and records, and no objections having been filed to said Recommendation,

IT IS HEREBY ORDERED that:

Petitioner's application for habeas corpus relief under 28 U.S.C. § 2241, (Docket No. 1), is DISMISSED for lack of jurisdiction.

DATED: September 12, 2006.

s/David S. Doty
David S. Doty, Judge
United States District Court